

Panaji, 26th November, 1992 (Agrahayana 5, 1914)

SERIES I No. 35

OFFICIAL



GAZETTE

## GOVERNMENT OF GOA

## GOVERNMENT OF GOA

Department of Personnel

## ORDER

2/7/76-PER(Vol. III)

In partial modification of instructions issued vide Circular No. 2/7/76-PER (Vol. II) dated 15-3-1984, the following Departmental Selection Committee/Departmental Promotion Committee is hereby reconstituted for Group 'C' posts in Collectorates of North Goa and South Goa, Offices of Comunidades, Directorate of Land Survey and Jails Department with immediate effect:—

## I—For Departmental Selection Committee

- (i) Senior amongst the 2 Collectors—Chairman.
- (ii) Other Collector—Member.
- (iii) Joint Secretary (Personnel)—Member.

## II—For Departmental Promotion Committee

- (i) Chief Secretary—Chairman.
- (ii) Collector, North Goa—Member.
- (iii) Collector, South Goa—Member.
- (iv) Joint Secretary (Personnel)—Member.

By order and in the name of the Governor of Goa.

G. J. Prabhudessai, Under Secretary (Personnel).

Panaji, 12th November, 1992.

## Notification

2/38/75(A)PER Vol. II

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Goa in consultation with the Goa Public Service Commission vide their letter No. COM/II/12/55(1)/92 dated 11-11-1992, hereby amends all the Organised Service Rules as follows:—

In all the Organised Service Rules, for the provisions relating to confirmation in service, the following shall be substituted, namely:—

“On completion of probation or any extension thereof, officers shall, if considered fit, may

be confirmed in the service notwithstanding whether a permanent post is available or not:

Provided that confirmation of the officer shall not have any effect on the seniority of the persons of the particular grade which shall be determined as per respective rules relating to the seniority”.

By order and in the name of the Governor of Goa.

G. J. Prabhudessai, Under Secretary (Personnel).

Panaji, 18th November, 1992.

Education Department

## ORDER

5/7/92/EDN/Amend

In exercise of the powers conferred by sub-section (1) of section 25 of the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985), the Government of Goa hereby delegates its power under sub-rule (2) of rule 88 of the Goa, Daman and Diu School Education Rules, 1986, to the Director of Education.

By order and in the name of the Governor of Goa.

S. S. Keshkamat, Under Secretary (Education).

Panaji, 12th November, 1992.

Law (Legal and Legislative Affairs) Department

## Notification

10-2-92/LA

The Foreign Trade (Development and Regulation) Act, 1992 (Central Act 22 of 1992) which has been passed by Parliament and assented to by the President of India on 7-8-1992 and published in the Gazette of India, Extraordinary, Part II, Section 1,

dated 10-8-1992, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 4th November, 1992.

## The Foreign Trade (Development and Regulation) Act, 1992

### AN ACT

*to provide for the development and regulation of foreign trade by facilitating imports into, and augmenting exports from, India and for matters connected therewith or incidental thereto.*

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

#### CHAPTER I

##### Preliminary

1. *Short title and commencement.*—This Act may be called the Foreign Trade (Development and Regulation) Act, 1992.

(2) Sections 11 to 14 shall come into force at once and the remaining provisions of this Act shall be deemed to have come into force on the 19th day of June, 1992.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “Adjudicating Authority” means the authority specified in, or under, section 13;

(b) “Appellate Authority” means the authority specified in, or under, sub-section (1) of section 15;

(c) “conveyance” means any vehicle, vessel, aircraft or any other means of transport including any animal;

(d) “Director General” means the Director General of Foreign Trade appointed under section 6;

(e) “import” and “export” means respectively bringing into, or taking out of, India any goods by land, sea or air;

(f) “Importer-exporter Code Number” means the Code Number granted under section 7;

(g) “licence” means a licence to import or export and includes a customs clearance permit and any other permission issued or granted under this Act;

(h) “Order” means any Order made by the Central Government under section 3; and

(i) “prescribed” means prescribed by rules made under this Act.

#### CHAPTER II

Power of Central Government to make Order and announce export and import policy

3. *Powers to make provisions relating to imports and exports.*—(1) The Central Government may,

by Order published in the Official Gazette, make provision for the development and regulation of foreign trade by facilitating imports and increasing exports.

(2) The Central Government may also, by Order published in the Official Gazette, make provision for prohibiting, restricting or otherwise regulating, in all cases or in specified classes of cases and subject to such exceptions, if any, as may be made by or under the Order, the import or export of goods.

(3) All goods to which any Order under sub-section (2) applies shall be deemed to be goods the import or export of which has been prohibited under section 11 of the Customs Act, 1962 and all the provisions of that Act shall have effect accordingly. 52 of 1962.

4. *Continuance of existing Orders.*—All Orders made under the Imports and Exports (Control) Act, 1947, and in force immediately before the commencement of this Act shall, so far as they are not inconsistent with the provisions of this Act, continue to be in force and shall be deemed to have been made under this Act. 18 of 1947.

5. *Export and import policy.*—The Central Government may, from time to time, formulate and announce, by notification in the Official Gazette, the export and import policy and may also, in like manner, amend that policy.

6. *Appointment of Director General and his functions.*—(1) The Central Government may appoint any person to be the Director General of Foreign Trade for the purposes of this Act.

(2) The Director General shall advise the Central Government in the formulation of the export and import policy and shall be responsible for carrying out that policy.

(3) The Central Government, may by Order published in the Official Gazette, direct that any power exercisable by it under this Act (other than the powers under sections 3, 5, 15, 16 and 19) may also be exercised, in such cases and subject to such conditions, by the Director General or such other officer subordinate to the Director General, as may be specified in the Order.

#### CHAPTER III

Importer-exporter Code Number and licence

7. *Importer-exporter Code Number.*—No person shall make any import or export except under an Importer-exporter Code Number granted by the Director General or the officer authorised by the Director General in this behalf, in accordance with the procedure specified in this behalf by the Director General.

8. *Suspension and cancellation of Importer-exporter Code Number.*—(1) Where—

(a) any person has contravened any law relating to Central excise or customs or foreign exchange or has committed any other economic offence under any other law for the time being in force

as may be specified by the Central Government by notification in the Official Gazette, or

(b) the Director General has reason to believe that any person has made an export or import in a manner gravely prejudicial to the trade relations of India with any foreign country or to the interests of other persons engaged in imports or exports or has brought disrepute to the credit or the goods of the country,

the Director General may call for the record or any other information from that person and may, after giving to that person a notice in writing informing him of the grounds on which it is proposed to suspend or cancel the Importer-exporter Code Number and giving him a reasonable opportunity of making a representation in writing within such reasonable time as may be specified in the notice and, if that person so desires, of being heard, suspend for a period, as may be specified in the order, or cancel the Importer-exporter Code Number granted to that person.

(2) Where any Importer-exporter Code Number granted to a person has been suspended or cancelled under sub-section (1), that person shall not be entitled to import or export any goods except under a special licence, granted, in such manner and subject to such conditions as may be prescribed, by the Director General to that person.

**9. Issue, suspension and cancellation of licence. —**

(1) The Central Government may levy fees, subject to such exceptions, in respect of such person or class of persons making an application for a licence or in respect of any licence granted or renewed in such manner as may be prescribed.

(2) The Director General or an officer authorised by him may, on an application and after making such inquiry as he may think fit, grant or renew or refuse to grant or renew a licence to import or export such class or classes of goods as may be prescribed, after recording in writing his reasons for such refusal.

(3) A licence granted or renewed under this section shall —

(a) be in such form as may be prescribed;

(b) be valid for such period as may be specified therein; and

(c) be subject to such terms, conditions and restrictions as may be prescribed or as specified in the licence with reference to the terms, conditions and restrictions so prescribed.

(4) The Director General or the officer authorised under sub-section (2) may, subject to such conditions as may be prescribed, for good and sufficient reasons, to be recorded in writing, suspend or cancel any licence granted under this Act:

Provided that no such suspension or cancellation shall be made except after giving the holder of the licence a reasonable opportunity of being heard.

(5) An appeal against an order refusing to grant, or renew or suspending or cancelling, a licence shall lie in like manner as an appeal against an order would lie under section 15.

**CHAPTER IV**

**Search, seizure, penalty and confiscation**

**10. Power relating to search and seizure. — (1)** The Central Government may, by notification in the Official Gazette, authorise any person for the purposes of exercising such powers with respect to entering such premises and searching, inspecting and seizing of such goods, documents, things and conveyances, subject to such requirements and conditions, as may be prescribed.

(2) The provisions of the Code of Criminal Procedure, 1973 relating to searches and seizures shall, so far as may be, apply to every search and seizure made under this section. 2 of 1974.

**11. Contravention of provisions of this Act, rules, orders and export and import policy. — (1)** No export or import shall be made by any person except in accordance with the provisions of this Act, the rules and orders made thereunder and the export and import policy for the time being in force.

(2) Where any person makes or abets or attempts to make any export or import in contravention of any provision of this Act or any rules or orders made thereunder or the export and import policy, he shall be liable to a penalty not exceeding one thousand rupees or five times the value of the goods in respect of which any contravention is made or attempted to be made, whichever is more.

(3) Where any person, on a notice to him by the Adjudicating Authority, admits any contravention, the Adjudicating Authority may, in such class or classes of cases and in such manner as may be prescribed, determine, by way of settlement, an amount to be paid by that person.

(4) A penalty imposed under this Act may, if it is not paid, be recovered as an arrear of land revenue and the Importer-exporter Code Number of the person concerned, may, on failure to pay the penalty by him, be suspended by the Adjudicating Authority till the penalty is paid.

(5) Where any contravention of any provision of this Act or any rules or orders made thereunder or the export and import policy has been, is being, or is attempted to be, made, the goods together with any package, covering or receptacle and any conveyances shall, subject to such requirements and conditions as may be prescribed, be liable to confiscation by the Adjudicating Authority.

(6) The goods or the conveyance confiscated under sub-section (5) may be released by the Adjudicating Authority, in such manner and subject to such conditions as may be prescribed, on payment by the person concerned of the redemption charges equivalent to the market value of the goods or conveyance, as the case may be.

**12. Penalty or confiscation not to interfere with other punishments. —** No penalty imposed or confiscation made under this Act shall prevent the imposition of any other punishment to which the person affected thereby is liable under any other law for the time being in force.

13. *Adjudicating Authority.*—Any penalty may be imposed or any confiscation may be adjudged under this Act by the Director General or, subject to such limits as may be specified, by such other officer as the Central Government may, by notification in the Official Gazette, authorise in this behalf.

14. *Giving of opportunity to the owner of the goods, etc.*—No order imposing a penalty or of adjudication of confiscation shall be made unless the owner of the goods or conveyance, or other person concerned, has been given a notice in writing—

(a) informing him of the grounds on which it is proposed to impose a penalty or to confiscate such goods or conveyance; and

(b) to make a representation in writing within such reasonable time as may be specified in the notice against the imposition of penalty or confiscation mentioned therein, and, if he so desires, of being heard in the matter.

#### CHAPTER V

##### Appeal and revision

15. *Appeal.*—(1) Any person aggrieved by any decision or order made by the Adjudicating Authority under this Act may prefer an appeal,—

(a) where the decision or order has been made by the Director General, to the Central Government;

(b) where the decision or order has been made by an officer subordinate to the Director General, to the Director General or to any officer superior to the Adjudicating Authority authorised by the Director General to hear the appeal,

within a period of forty-five days from the date on which the decision or order is served on such person:

Provided that the Appellate Authority may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the aforesaid period, allow such appeal to be preferred within a further period of thirty days:

Provided further that in the case of an appeal against a decision or order imposing a penalty or redemption charges, no such appeal shall be entertained unless the amount of the penalty or redemption charges has been deposited by the appellant:

Provided also that, where the Appellate Authority is of opinion that the deposit to be made will cause undue hardship to the appellant, it may, in its discretion, dispense with such deposit either unconditionally or subject to such conditions as it may impose.

(2) The Appellate Authority may, after giving to the appellant a reasonable opportunity of being heard, if he so desires, and after making such further inquiries, if any, as it may consider necessary, make such orders as it thinks fit, confirming, modifying or reversing the decision or order appealed against, or may send back the case with such directions, as it may think fit, for a fresh adjudication or

decision, as the case may be, after taking additional evidence, if necessary:

Provided that an order enhancing or imposing a penalty or redemption charges or confiscating goods of a greater value shall not be made under this section unless the appellant has been given an opportunity of making a representation, and, if he so desires, of being heard in his defence.

(3) The order made in appeal by the Appellate Authority shall be final.

16. The Central Government, in the case of any decision or order, not being a decision or order made in an appeal, made by the Director General, or the Director General in the case of any decision or order made by any officer subordinate to him, may on its or his own motion or otherwise, call for and examine the records of any proceeding in which a decision or an order imposing a penalty or redemption charges or adjudicating confiscation has been made and against which no appeal has been preferred, for the purpose of satisfying itself or himself, as the case may be, as to the correctness, legality or propriety of such decision or order and make such orders thereon as may be deemed fit:

Provided that no decision or order shall be varied under this section so as to prejudicially affect any person unless such person—

(a) has, within a period of two years from the date of such decision or order, received a notice to show cause why such decision or order shall not be varied, and

(b) has been given a reasonable opportunity of making representation and, if he so desires, of being heard in his defence.

17. *Powers of Adjudicating and other Authorities.*—(1) Every authority making any adjudication or hearing any appeal or exercising any powers of revision under this Act shall have all the powers of a civil court under the Code of Civil Procedure, 1908, while trying a suit, in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of witnesses;

(b) requiring the discovery and production of any document;

(c) requisitioning any public records or copy thereof from any court or office;

(d) receiving evidence on affidavits; and

(e) issuing commissions for the examination of witnesses or documents.

(2) Every authority making any adjudication or hearing any appeal or exercising any powers of revision under this Act shall be deemed to be a civil court for the purposes of sections 345 and 346 of the Code of Criminal Procedure, 1973. 2 of 1974.

(3) Every authority making any adjudication or hearing any appeal or exercising any powers of revision under this Act shall have the power to

make such orders of an interim nature as it may think fit and may also for sufficient cause, order the stay of operation of any decision or order.

(4) Clerical or arithmetical mistakes in any decision or order or errors arising therein from any accidental slip or omission may at any time be corrected by the authority by which the decision or order was made, either on its own motion or on the application of any of the parties:

Provided that where any correction proposed to be made under this sub-section will have the effect of prejudicially affecting any person, no such correction shall be made except after giving to that person a reasonable opportunity of making a representation in the matter and no such correction shall be made after the expiry of two years from the date on which such decision or order was made.

#### CHAPTER VI

##### Miscellaneous

18. *Protection of action taken in good faith.* — No order made or deemed to have been made under this Act shall be called in question in any court, and no suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Act or any order made or deemed to have been made thereunder.

19. *Power to make rules.* — (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: —

(a) the manner in which and the conditions subject to which a special licence may be issued under sub-section (2) of section 8;

(b) the exceptions subject to which and the person or class of persons in respect of whom fees may be levied and the manner in which a licence may be granted or renewed under sub-section (1) of section 9;

(c) the class or classes of goods for which a licence may be granted under sub-section (2) of section 9;

(d) the firm in which and the terms, conditions and restrictions subject to which licence may be granted under sub-section (3) of section 9;

(e) the conditions subject to which a licence may be suspended or cancelled under sub-section (4) of section 9;

(f) the premises, goods, documents, things and conveyances in respect of which and the requirements and conditions subject to which power of entry, search, inspection and seizure may be exercised under sub-section (1) of section 10;

(g) the class or classes of cases for which and the manner in which an amount, by way of settlement, may be determined under sub-section (3) of section 11;

(h) the requirements and conditions subject to which goods and conveyances shall be liable to confiscation under sub-section (5) of section 11;

(i) the manner in which and the conditions subject to which goods and conveyances may be released on payment of redemption charges under sub-section (6) of section 11; and

(j) any other matter which is to be, or may be, prescribed, or in respect of which provision is to be, or may be, made by rules.

(3) Every rule and every Order made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or the Order or both Houses agree that the rule or the Order should not be made, the rule or the Order, as the case may be, shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or the Order.

20. *Repeal and savings.* — (1) The Imports and Exports (Control) Act, 1947 18 of 1947. and the Foreign Trade (Development and Ord. Regulation) Ordinance, 1992 are hereby 11 of 1992. repealed:

(2) The repeal of the Imports and 18 of 1947. Exports (Control) Act, 1947 shall, however, not affect, —

(a) the previous operation of the Act so repealed or anything duly done or suffered thereunder; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the Act so repealed; or

(c) any penalty, confiscation or punishment incurred in respect of any contravention under the Act so repealed; or

(d) any proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, confiscation or punishment as aforesaid,

and any such proceeding or remedy may be instituted, continued or enforced, and any such penalty, confiscation or punishment may be imposed or made as if that Act had not been repealed.

(3) Notwithstanding the repeal of the Foreign Trade (Development and Regu. Ord. lation) Ordinance, 1992, anything done 11 of 1992. or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

## Notification

10-2-92/LA

The Army (Amendment) Act, 1992 (Central Act 37 of 1992) which has been passed by Parliament and assented to by the President of India on 6-9-1992 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 7-9-1992, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 9th November, 1992.

## The Army (Amendment) Act, 1992

AN  
ACT

further to amend the Army Act, 1950.

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Army (Amendment) Act, 1992.

2. *Omission of sections 75 and 76.*—In the Army Act, 1950 (hereinafter referred to as the principal Act) sections 75 and 76 shall be omitted. 46 of 1950.

3. *Amendment of section 77.*—In section 77 of the principal Act, the words “, field punishment” shall be omitted.

4. *Amendment of section 80.*—In section 80 of the principal Act, clause (j) shall be omitted.

5. *Amendment of section 81.*—In section 81 of the principal Act,—

(i) sub-section (1) shall be omitted;

(ii) in sub-section (4), for the brackets, letters and word “(a), (b), (c) and (j)”, the brackets, letters and word “(a), (b) and (c)” shall be substituted.

6. *Amendment of section 85.*—In section 85 of the principal Act, for the portion beginning with the words “and award the punishment” and ending with the words “of which he is convicted is made good”, the following shall be substituted, namely:—

“and award one or more of the following punishments, that is to say,—

(i) severe reprimand or reprimand;

(ii) stoppage of pay and allowances until any proved loss or damage occasioned by the offence of which he is convicted is made good:

Provided that the punishment specified in clause (i) shall not be awarded if the commanding officer or such other officer is below the rank of Colonel”.

7. *Amendment of section 90.*—In section 90 of the principal Act,—

(i) in clause (e), the words and figures “or an officer exercising authority under section 85” shall be omitted;

(ii) in clause (i), after the words “Central Government”, the words “or any prescribed officer” shall be inserted.

8. *Amendment of section 91.*—In section 91 of the principal Act,—

(i) in clause (a), the words “, or of field punishment awarded by a court-martial or such officer” shall be omitted;

(ii) in clause (b), the words “or field punishment” shall be omitted.

9. *Amendment of section 122.*—In section 122 of the principal Act, in sub-section (1), for the words “from the date of such offence”, the following shall be substituted, namely:—

“and such period shall commence;—

(a) on the date of the offence; or

(b) where the commission of the offence was not known to the person aggrieved by the offence or to the authority competent to initiate action, the first day on which such offence comes to the knowledge of such person or authority, whichever is earlier; or

(c) where it is not known by whom the offence was committed, the first day on which the identity of the offender is known to the person aggrieved by the offence or to the authority competent to initiate action, whichever is earlier”.

10. *Amendment of section 123.*—In section 123 of the principal Act, in sub-section (2), for the words “within six months after he had ceased to be subject to this Act”, the following shall be substituted, namely:—

“within a period of three years after he had ceased to be subject to this Act; and in computing such period, the time during which such person has avoided arrest by absconding or concealing himself or where the institution of the proceeding in respect of the offence has been stayed by an injunction or order, the period of the continuance of the injunction or order, the day on which it was issued or made, and the day on which it was withdrawn, shall be excluded”.

11. *Omission of section 127.*—Section 127 of the principal Act shall be omitted.

12. *Amendment of section 135.*—In section 135 of the principal Act, in sub-section (1), after the word “court-martial”, the words “or courts of inquiry” shall be inserted.

13. *Amendment of section 137.*—In section 137 of the principal Act,—

(a) in sub-section (3), for the words and figures “Code of Criminal Procedure, 1898”, the words and figures “Code of Criminal Procedure, 1973” shall be substituted; 5 of 1898. 2 of 1974.

(b) in sub-section (4), for the words and figures “Chapter XL of the Code of Criminal Procedure, 1898”, the words and figures “Chapter XXII of the Code of Criminal Procedure, 1973” shall be substituted. 5 of 1898. 2 of 1974.



14. *Amendment of sections 139, 151 and 174.* — In sections 139, 151 and 174 of the principal Act, for the words and figures "Code of Criminal Procedure, 1898", wherever they occur, the words and figures "Code of Criminal Procedure, 1973" shall be substituted. 5 of 1898.  
2 of 1974.

15. *Amendment of section 142.* — In section 142 of the principal Act, in sub-section (7), after the words "Assistant Chemical Examiner to Government" the words "or any of the Government scientific experts namely, the Chief Inspector of the Explosives, the Director of Finger Print Bureau, the Director, Haffkeine Institute, Bombay, the Director of a Central Forensic Science Laboratory or a State Forensic Science Laboratory and the Serologist to the Government" shall be inserted.

16. *Amendment of section 152.* — In section 152 of the principal Act, for the words and figures "sections 480 and 482 of the Code of Criminal Procedure, 1898", the words and figures "sections 345 and 346 of the Code of Criminal Procedure, 1973" shall be substituted. 5 of 1898.  
2 of 1974.

17. *Insertion of new section 169A.* — After section 169 of the principal Act, the following section shall be inserted, namely: —

"169A. *Period of custody undergone by the officer or person to be set off against the imprisonment.* — When a person or officer subject to this Act is sentenced by a court-martial to a term of imprisonment, not being an imprisonment in default of payment of fine, the period spent by him in civil or military custody during investigation, inquiry or trial of the same case, and before the date of order of such sentence, shall be set off against the term of imprisonment imposed upon him, and the liability of such person or officer to undergo imprisonment on such order of sentence shall be restricted to the remainder, if any, of the term of imprisonment imposed upon him."

18. *Amendment of section 191.* — In section 191 of the principal Act, in sub-section (2), clause (c) shall be omitted.

19. *Omission of Chapter VI.* — Chapter XVI of the principal Act and the heading relating thereto shall be omitted.

#### Notification

10-2-92/LA

The Appropriation (No. 3) Act, 1992 (Central Act 32 of 1992) which has been passed by Parliament and assented to by the President of India on 24-8-1992 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 25-8-1992, is hereby published for the general information of the public.

P. V. Kádnekar, Under Secretary (Drafting).

Panaji, 4th November, 1992.

#### The Appropriation (No. 3) Act, 1992

AN  
ACT

*to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1989, in excess of the amounts granted for those services and for that year.*

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows: —

1. *Short title.* — This Act may be called the Appropriation (No. 3) Act, 1992.

2. *Issue of Rs. 263,41,36,760 out of the Consolidated Fund of India to meet certain excess expenditure for the year ended on the 31st March, 1989.* — From and out of the Consolidated Fund of India, the sums specified in column 3 of the Schedule, amounting in the aggregate to the sum of two hundred and sixty-three crores, forty-one lakhs, thirty-six thousand, seven hundred and sixty rupees shall be deemed to have been authorised to be paid and applied to meet the amount spent for defraying the charges in respect of the services specified in column 2 of the Schedule during the financial year ended on the 31st day of March, 1989, in excess of the amounts granted for those services and for that year.

3. *Appropriation.* — The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of India under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1989.

#### THE SCHEDULE

(See sections 2 and 3)

No. of Vote	Services and purposes	Excess		
		Voted portion	Charged portion	Total
1	2	3		
		R.	R.	R.
12	Ministry of Defence ... .. Revenue	7,22,63,831	...	7,22,63,831
	Capital	...	59,00,000	59,00,000
13	Defence Pensions ... .. Revenue	160,70,086	59,000	1,61,29,086

1	2	3
14	Defence Services—Army ... .. Revenue	103,65,09,797
26	Payments to Financial Institutions ... .. Capital	1,64,306
	<i>Charged. —</i>	
	<i>Interests Payments</i> ... .. Revenue	128,52,13,139
52	Department of Chemicals and Petro-chemicals ... .. Capital	3,64,00,000
68	Department of Mines ... .. Revenue	41,33,891
74	Urban Development and Housing ... .. Revenue	2,13,27,787
75	Public Works ... .. Revenue	10,03,69,561
	Capital	...
92	Lakshadweep ... .. Revenue	51,95,630
93	Chandigarh ... .. Revenue	4,85,73,497
94	Daman and Diu ... .. Revenue	10,26,746
	<b>Total ... ..</b>	<b>134,20,35,182</b>
		<b>129,21,01,578</b>
		<b>263,41,36,760</b>